

# 34:1B-21.12

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001                      **CHAPTER:** 48

**NJSA:** 34:1B-21.12 (Funding alcohol treatment centers)

**BILL NO:** A1932 (Substituted for S282)

**SPONSOR(S):** Bateman and LeFevre

**DATE INTRODUCED:** January 27, 2000

**COMMITTEE:**                      **ASSEMBLY:** Law and Public Safety; Appropriations

**SENATE:** ----

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                      **ASSEMBLY:** October 30, 2000; Re-enacted March 8, 2001

**SENATE:** December 4, 2000; Re-enacted March 26, 20001

**DATE OF APPROVAL:** April 4, 2001

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

**A1932**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill)                      Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:**                      Yes                      3-2-2000 (Law  
& P. S.)

9-21-2000 (Approp.)

**SENATE:**                      No

**FLOOR AMENDMENT STATEMENTS:**                      No

**LEGISLATIVE FISCAL ESTIMATE:**                      Yes

**S282**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

Bill and Sponsors Statement identical to A1932

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

S.) **SENATE:** Yes 2/10/00 (Law &P.

5/25/00 (Budget)

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** Yes

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** Yes

974.90 New Jersey. Legislature. Senate. Task Force on Alcohol-Related Motor Vehicle Accidents and Fatalities

A939 Report...December 11, 1998.

1998m (see especially pp. 22-24)

**HEARINGS:** Yes

974.90 New Jersey. Legislature. Senate. Task Force on Alcohol-Related Motor Vehicle Accidents and Fatalities

A939 Public hearing: should blood alcohol concentration at which a person...held August 19, 1997. Trenton, 1997.

1997c

974.90 New Jersey. Legislature. Senate. Task Force on Alcohol-Related Motor Vehicle Accidents and Fatalities

A939 Public hearing: current penalties, held September 23, 1997.

1997d

Main hearing on this law:

974.90 New Jersey Legislature. Senate. Task Force on Alcohol-Related Motor Vehicle Accidents and Fatalities

A939 Public hearing held October 21, 1997. Blackwood, New Jersey.

1997g

**NEWSPAPER ARTICLES:**

No

# ASSEMBLY, No. 1932

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JANUARY 27, 2000

**Sponsored by:**

**Assemblyman CHRISTOPHER "KIP" BATEMAN**

**District 16 (Morris and Somerset)**

**Assemblyman KENNETH C. LEFEVRE**

**District 2 (Atlantic)**

**Co-Sponsored by:**

**Assemblymen Steele, Blee, Conaway, Senators Furnari, Cafiero, Kosco,  
Inverso, Singer, Bucco and Matheussen**

**SYNOPSIS**

Allocates certain motor vehicle surcharges for alcohol treatment programs.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/5/2000)**

1 AN ACT concerning funding alcohol treatment programs, amending  
2 P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 12 of P.L.1994, c.57 (C.34:1B-21.12) is amended to  
8 read as follows:

9 12. There is created within the Department of the Treasury a  
10 special nonlapsing fund to be known as the "Division of Motor  
11 Vehicles Surcharge Fund," which, beginning September 1, 1996 or  
12 earlier as provided pursuant to this section, shall be comprised of  
13 monies transferred to the DMV Surcharge Fund from the Market  
14 Transition Facility which, notwithstanding the provisions of this  
15 section to the contrary, may be appropriated, immediately upon receipt  
16 from the Market Transition Facility, by the Legislature to the Facility  
17 Revenue Fund and all monies collected pursuant to subsection b. of  
18 section 6 of P.L.1983, c.65 (C.17:29A-35) and any interest or other  
19 income earned thereon. Monies in the DMV Surcharge Fund shall be  
20 managed and invested by the Division of Investment in the Department  
21 of the Treasury. Commencing September 1, 1996, or at such earlier  
22 time as may be certified by the commissioner that monies on deposit  
23 in the New Jersey Automobile Insurance Guaranty Fund created  
24 pursuant to section 23 of P.L.1990, c.8 (C.17:33B-5) are sufficient to  
25 satisfy the current and anticipated financial obligations of the New  
26 Jersey Automobile Full Insurance Underwriting Association, the  
27 monies in the DMV Surcharge Fund shall be disbursed from time to  
28 time by the State Treasurer, upon appropriation by the Legislature, to  
29 the Market Transition Facility Revenue Fund, for payment of principal,  
30 interest and premium on the Market Transition Facility bonds or notes  
31 issued by the authority pursuant to section 4 of **[this act]** P.L.1994,  
32 c.57 (C.34:1B-21.4). From the amounts remaining in the fund after  
33 these payments are fully defrayed, an amount of \$10 million annually  
34 shall be remitted to the fund created in section 2 of P.L. , c.  
35 (C. ) (now pending before the Legislature as this bill).

36 (cf: P.L.1994, c.57, s.12)

37

38 2. (New section) a. There is created within the Department of  
39 Health and Senior Services a special nonlapsing revolving fund to be  
40 known as the "Alcohol Treatment Programs Fund." The fund shall  
41 consist of such monies as are deposited pursuant to section 12 of  
42 P.L.1994, c.57 (C.34:1B-21.12), any other monies as may be  
43 appropriated to the fund by the Legislature or otherwise provided to

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 the fund, and interest or other income derived from the investment of  
2 monies in the fund.

3 b. Except as provided in subsection c. of this section, monies in the  
4 fund shall be used exclusively for making grants, approved by the  
5 Director of the Division of Addiction Services in the Department of  
6 Health and Senior Services, to programs that provide treatment for  
7 alcoholism, alcohol abuse and other conditions related to the excessive  
8 consumption of alcoholic beverages among persons convicted of  
9 violating the State's drunk driving laws and others.

10 c. An amount not to exceed \$200,000 per year may be expended  
11 from the fund to defray actual expenses incurred by the department in  
12 the administration of the fund subject to approval by the Director of  
13 the Division of Budget and Accounting.

14

15 3. (New section) The Director of the Division of Addiction  
16 Services in the Department of Health and Senior Services shall  
17 promulgate regulations pursuant to the provisions of the  
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
19 necessary to effectuate the provisions of this act. The regulations shall  
20 include, but not be limited to, the following:

21 a. Criteria for grantee eligibility;

22 b. The form and manner in which application for grants from the  
23 fund shall be made; and

24 c. The treatment services and treatment recipients for which grant  
25 funds may be expended.

26

27 4. This act shall take effect on the first day of the third month after  
28 enactment, except that section 3 shall take effect immediately.

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30

31

#### STATEMENT

32

33 Under the provisions of this bill, \$10 million of Division of Motor  
34 Vehicle (DMV) surcharges collected from drunk drivers and motorists  
35 who accrue an excess of motor vehicle points would be used to fund  
36 treatment programs for alcoholism and alcohol dependency among  
37 drunk drivers.

38 Currently, these motor vehicle surcharges are allocated to a fund  
39 for payment of the principal, interest and premium on Market  
40 Transition Facility (MTF) bonds, with monies in excess of this amount  
41 remitted to the General Fund. In FY2000, it is estimated that  
42 approximately \$140 million in drunk driving surcharges will be  
43 collected, with approximately \$72 million allocated for MTF bond debt  
44 service.

45 This bill creates an Alcohol Treatment Programs Fund in the  
46 Department of Health and Senior Services and allocates \$10 million of

1 the excess surcharge monies to the fund. These funds would be  
2 allocated for grants to programs that treat alcoholism and alcohol  
3 dependency among persons who have been convicted of violating the  
4 State's drunk driving laws and others. These funds would be used  
5 exclusively for such treatment services and for administrative expenses  
6 incurred by the department. The Division of Addiction Services would  
7 establish grantee eligibility criteria by regulation and administer the  
8 grant program.

9 This bill would implement a recommendation contained in the  
10 report of the Senate Task Force on Alcohol Related Motor Vehicle  
11 Accidents and Fatalities in New Jersey. The task force found that  
12 convicted drunk drivers, who must compete in a large pool of persons  
13 in need of treatment for substance abuse, are disproportionately under  
14 represented among those receiving such services in New Jersey's  
15 publicly funded treatment programs.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1932

# STATE OF NEW JERSEY

DATED: MARCH 2, 2000

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1932.

Assembly Bill No. 1932 allocates \$10 million of Division of Motor Vehicle (DMV) surcharges collected from drunk drivers and motorists who accrue an excess of motor vehicle points to fund treatment programs for alcoholism and alcohol dependency among drunk drivers.

Currently, these motor vehicle surcharges are allocated to a fund for payment of the principal, interest and premium on Market Transition Facility (MTF) bonds, with monies in excess of this amount remitted to the General Fund. In FY2000, it is estimated that approximately \$140 million in drunk driving surcharges will be collected, with approximately \$72 million allocated for MTF bond debt service.

This bill creates an Alcohol Treatment Programs Fund in the Department of Health and Senior Services and allocates \$10 million of the excess surcharge monies to the fund. These funds would be allocated for grants to programs that treat alcoholism and alcohol dependency among persons who have been convicted of violating the State's drunk driving laws and others. These funds would be used exclusively for such treatment services and for administrative expenses incurred by the department. The Division of Addiction Services would establish grantee eligibility criteria by regulation and administer the grant program.

This bill implements a recommendation contained in the report of the Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey. The task force found that convicted drunk drivers, who must compete in a large pool of persons in need of treatment for substance abuse, are disproportionately under represented among those receiving such services in New Jersey's publicly funded treatment programs.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 1932**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JUNE 5, 2000

**SUMMARY**

**Synopsis:** Allocates certain motor vehicle surcharges for alcohol treatment program.

**Type of Impact:** Transfer of revenue from General Fund to dedicated fund.

**Agencies Affected:** Department of Health and Senior Services

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Revenue:</b>			
<b>1. General Fund</b>	(\$10 million)	(\$10 million)	(\$10 million)
<b>2. Alcohol Treatment Programs Fund</b>	\$10 million	\$10 million	\$10 million

- ! Creates "Alcohol Treatment Programs Fund" in Department of Health and Senior Services to provide grants for treatment of alcohol related problems.
- ! Allocates \$10 million annually from balances in the "Division of Motor Vehicles Surcharge Fund" after making required payments attributable to repayment of Market Transition Facility bonds.
- ! Since these balances now flow into the General Fund, this transfer of revenue represents a \$10 million annual reduction in General Fund resources.

**BILL DESCRIPTION**

Assembly Bill No. 1932 of 2000 creates the "Alcohol Treatment Programs Fund" in the Department of Health and Senior Services. The fund is to receive \$10 million annually to make grants to programs that provide treatment for alcoholism, alcohol abuse and other conditions related to the excessive consumption of alcoholic beverages, especially among drunk drivers.

The \$10 million annual amount would be provided from balances in the "Division of Motor Vehicles Surcharge Fund" after making required payments attributable to the repayment of Market Transition Facility bonds and before such balances are remitted to the General Fund and made available to be appropriated for any State purpose.

## FISCAL ANALYSIS

### *EXECUTIVE BRANCH*

None received

### *OFFICE OF LEGISLATIVE SERVICES*

The Division of Motor Vehicles (DMV) Surcharge Fund was created in 1994 to receive monies from surcharges levied for drunk driving convictions and other motor vehicle violations. Beginning September 1, 1996, these surcharges are first pledged toward the repayment of bonds issued in 1994 by the New Jersey Economic Development Authority to partially finance the deficit incurred by the Market Transition Facility (MTF). Amounts in the DMV Surcharge Fund that are not needed for purposes of the MTF are transferred to the General Fund and appropriated for any purpose.

The Office of Legislative Services notes that the bill requires that \$10 million be annually remitted to the "Alcohol Treatment Programs Fund." Since this amount would be provided from monies that exceed the needs of the MTF before such excess funds are remitted to the General Fund, the amount of monies available to the General Fund would be reduced by \$10 million annually. For Fiscal Year 2001 State Revenues are anticipated to receive \$46 million in excess surcharge monies. Enactment of this bill would reduce that revenue amount to \$36 million for Fiscal Year 2001.

Section: *Authorities, Utilities, Transportation and Communications*

Analyst: *RustyLachenauer*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1932

# STATE OF NEW JERSEY

DATED: SEPTEMBER 21, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1932.

Assembly Bill No. 1932 allocates \$10 million of Division of Motor Vehicle (DMV) surcharges collected from drunk drivers and motorists who accrue an excess of motor vehicle points to fund treatment programs for alcoholism and alcohol dependency among drunk drivers.

This bill creates an Alcohol Treatment Programs Fund in the Department of Health and Senior Services and allocates \$10 million of the surcharge monies to the fund. These funds would be allocated for grants to programs that treat alcoholism and alcohol dependency among persons who have been convicted of violating the State's drunk driving laws and others. These funds would be used exclusively for such treatment services and for administrative expenses incurred by the department. The Division of Addiction Services would establish grantee eligibility criteria by regulation and administer the grant program.

This bill implements a recommendation contained in the report of the Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey. The task force found that convicted drunk drivers, who must compete in a large pool of persons in need of treatment for substance abuse, are disproportionately under represented among those receiving such services in New Jersey's publicly funded treatment programs.

#### FISCAL IMPACT:

This bill allocates \$10 million annually from balances in the Division of Motor Vehicles Surcharge Fund, after making required payments attributable to repayment of Market Transition Facility bonds. Currently these balances flow to the General Fund. In addition, an amount not to exceed \$200,000 per year may be spent on administrative costs.

[First Reprint]

**ASSEMBLY, No. 1932**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

INTRODUCED JANUARY 27, 2000

**Sponsored by:**

**Assemblyman CHRISTOPHER "KIP" BATEMAN**

**District 16 (Morris and Somerset)**

**Assemblyman KENNETH C. LEFEVRE**

**District 2 (Atlantic)**

**Co-Sponsored by:**

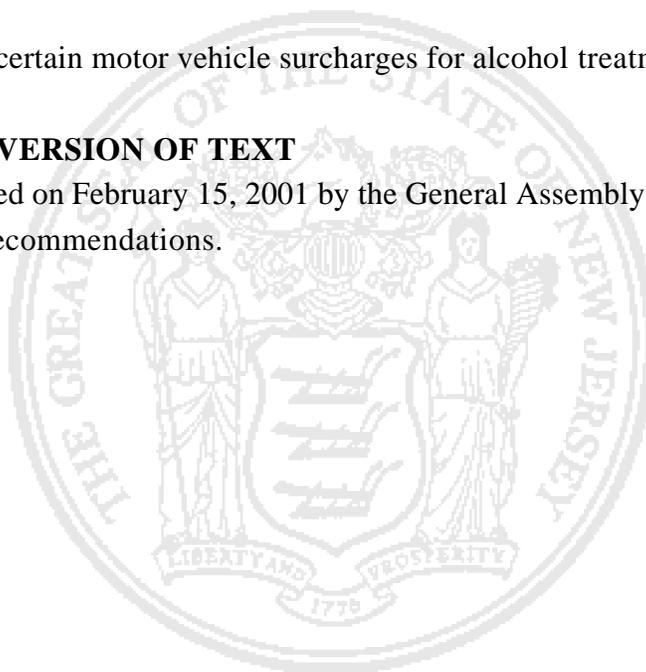
**Assemblymen Steele, Blee, Conaway, Senators Furnari, Cafiero, Kosco, Inverso, Singer, Bucco, Matheussen, Assemblywoman Greenstein and Assemblyman R.Smith**

**SYNOPSIS**

Allocates certain motor vehicle surcharges for alcohol treatment programs.

**CURRENT VERSION OF TEXT**

As amended on February 15, 2001 by the General Assembly pursuant to the Governor's recommendations.



**(Sponsorship Updated As Of: 3/9/2001)**

1 AN ACT concerning funding alcohol treatment programs, amending  
2 P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 12 of P.L.1994, c.57 (C.34:1B-21.12) is amended to  
8 read as follows:

9 12. There is created within the Department of the Treasury a  
10 special nonlapsing fund to be known as the "Division of Motor  
11 Vehicles Surcharge Fund," which, beginning September 1, 1996 or  
12 earlier as provided pursuant to this section, shall be comprised of  
13 monies transferred to the DMV Surcharge Fund from the Market  
14 Transition Facility which, notwithstanding the provisions of this  
15 section to the contrary, may be appropriated, immediately upon receipt  
16 from the Market Transition Facility, by the Legislature to the Facility  
17 Revenue Fund and all monies collected pursuant to subsection b. of  
18 section 6 of P.L.1983, c.65 (C.17:29A-35) and any interest or other  
19 income earned thereon. Monies in the DMV Surcharge Fund shall be  
20 managed and invested by the Division of Investment in the Department  
21 of the Treasury. Commencing September 1, 1996, or at such earlier  
22 time as may be certified by the commissioner that monies on deposit  
23 in the New Jersey Automobile Insurance Guaranty Fund created  
24 pursuant to section 23 of P.L.1990, c.8 (C:17:33B-5) are sufficient to  
25 satisfy the current and anticipated financial obligations of the New  
26 Jersey Automobile Full Insurance Underwriting Association, the  
27 monies in the DMV Surcharge Fund shall be disbursed from time to  
28 time by the State Treasurer, upon appropriation by the Legislature, to  
29 the Market Transition Facility Revenue Fund, for payment of principal,  
30 interest and premium on the Market Transition Facility bonds or notes  
31 issued by the authority pursuant to section 4 of **[this act]** P.L.1994,  
32 c.57 (C.34:1B-21.4). From the amounts remaining in the fund after  
33 these payments are fully defrayed, <sup>1</sup>[an amount of \$10 million  
34 annually] <sup>1</sup>there shall be remitted to the fund created in section 2 of  
35 P.L. , c. (C. ) (now pending before the Legislature as this  
36 bill)<sup>1</sup>, \$1.5 million in Fiscal Year 2002, \$3 million in Fiscal Year 2003,  
37 \$4.5 million in Fiscal Year 2004, \$6 million in Fiscal Year 2005, and  
38 \$7.5 million in Fiscal Year 2006 and each fiscal year thereafter<sup>1</sup>.  
39 (cf: P.L.1994, c.57, s.12)

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly amendments adopted in accordance with Governor's recommendations February 15, 2001.

1       2. (New section) a. There is created within the Department of  
2 Health and Senior Services a special nonlapsing revolving fund to be  
3 known as the "Alcohol Treatment Programs Fund." The fund shall  
4 consist of such monies as are deposited pursuant to section 12 of  
5 P.L.1994, c.57 (C.34:1B-21.12), any other monies as may be  
6 appropriated to the fund by the Legislature or otherwise provided to  
7 the fund, and interest or other income derived from the investment of  
8 monies in the fund.

9       b. Except as provided in subsection c. of this section, monies in the  
10 fund shall be used exclusively for making grants, approved by the  
11 Director of the Division of Addiction Services in the Department of  
12 Health and Senior Services, to programs that provide treatment for  
13 alcoholism, alcohol abuse and other conditions related to the excessive  
14 consumption of alcoholic beverages among persons convicted of  
15 violating the State's drunk driving laws and others.

16       c. An amount not to exceed <sup>1</sup>[\$200,000 per year] \$150,000 in  
17 Fiscal Year 2002 and five percent of the total annual revenue allocated  
18 to the fund in each fiscal year thereafter<sup>1</sup> may be expended from the  
19 fund to defray actual expenses incurred by the department in the  
20 administration of the fund subject to approval by the Director of the  
21 Division of Budget and Accounting.

22

23       3. (New section) The Director of the Division of Addiction  
24 Services in the Department of Health and Senior Services shall  
25 promulgate regulations pursuant to the provisions of the  
26 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
27 necessary to effectuate the provisions of this act. The regulations shall  
28 include, but not be limited to, the following:

29       a. Criteria for grantee eligibility;

30       b. The form and manner in which application for grants from the  
31 fund shall be made; and

32       c. The treatment services and treatment recipients for which grant  
33 funds may be expended.

34

35       4. This act shall take effect on the first day of the third month after  
36 enactment, except that section 3 shall take effect immediately.

**SENATE, No. 282**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator GARRY J. FURNARI**

**District 36 (Bergen, Essex and Passaic)**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Co-Sponsored by:**

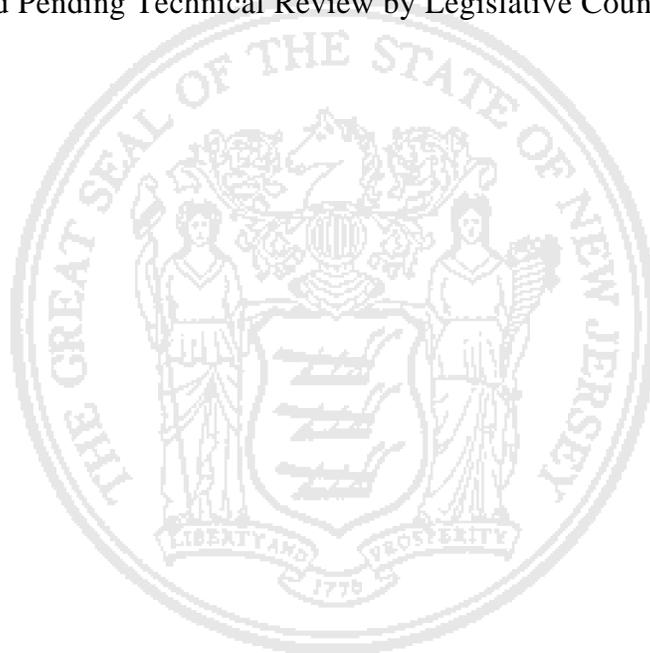
**Senators Kosco, Inverso and Singer**

**SYNOPSIS**

Allocates certain motor vehicle surcharges for alcohol treatment programs.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning funding alcohol treatment programs, amending  
2 P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
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11 Vehicles Surcharge Fund," which, beginning September 1, 1996 or  
12 earlier as provided pursuant to this section, shall be comprised of  
13 monies transferred to the DMV Surcharge Fund from the Market  
14 Transition Facility which, notwithstanding the provisions of this  
15 section to the contrary, may be appropriated, immediately upon receipt  
16 from the Market Transition Facility, by the Legislature to the Facility  
17 Revenue Fund and all monies collected pursuant to subsection b. of  
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32 c.57 (C.34:1B-21.4). From the amounts remaining in the fund after  
33 these payments are fully defrayed, an amount of \$10 million annually  
34 shall be remitted to the fund created in section 2 of P.L. , c.  
35 (C. ) (now pending before the Legislature as this bill).

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38 2. (New section) a. There is created within the Department of  
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40 known as the "Alcohol Treatment Programs Fund." The fund shall  
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43 appropriated to the fund by the Legislature or otherwise provided to

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3 b. Except as provided in subsection c. of this section, monies in the  
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5 Director of the Division of Addiction Services in the Department of  
6 Health and Senior Services, to programs that provide treatment for  
7 alcoholism, alcohol abuse and other conditions related to the excessive  
8 consumption of alcoholic beverages among persons convicted of  
9 violating the State's drunk driving laws and others.

10 c. An amount not to exceed \$200,000 per year may be expended  
11 from the fund to defray actual expenses incurred by the department in  
12 the administration of the fund subject to approval by the Director of  
13 the Division of Budget and Accounting.

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15 3. (New section) The Director of the Division of Addiction  
16 Services in the Department of Health and Senior Services shall  
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#### STATEMENT

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33 Under the provisions of this bill, \$10 million of Division of Motor  
34 Vehicle (DMV) surcharges collected from drunk drivers and motorists  
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12 convicted drunk drivers, who must compete in a large pool of persons  
13 in need of treatment for substance abuse, are disproportionately under  
14 represented among those receiving such services in New Jersey's  
15 publicly funded treatment programs.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 282**

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 10, 2000

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 282.

Under the provisions of this bill, \$10 million of Division of Motor Vehicle (DMV) surcharges collected from drunk drivers and motorists who accrue an excess of motor vehicle points would be used to fund treatment programs for alcoholism and alcohol dependency among drunk drivers.

Currently, these motor vehicle surcharges are allocated to a fund for payment of the principal, interest and premium on Market Transition Facility (MTF) bonds, with monies in excess of this amount remitted to the General Fund. In FY2000, it is estimated that approximately \$140 million in drunk driving surcharges will be collected, with approximately \$72 million allocated for MTF bond debt service.

This bill creates an Alcohol Treatment Programs Fund in the Department of Health and Senior Services and allocates \$10 million of the excess surcharge monies to the fund. These funds would be allocated for grants to programs that treat alcoholism and alcohol dependency among persons who have been convicted of violating the State's drunk driving laws and others. These funds would be used exclusively for such treatment services and for administrative expenses incurred by the department. The Division of Addiction Services would establish grantee eligibility criteria by regulation and administer the grant program.

This bill would implement a recommendation contained in the report of the Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey. The task force found that convicted drunk drivers, who must compete in a large pool of persons in need of treatment for substance abuse, are disproportionately under represented among those receiving such services in New Jersey's publicly funded treatment programs.

This bill was prefiled for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 282

# STATE OF NEW JERSEY

DATED: MAY 25, 2000

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 282.

This bill provides for the establishment and funding of a system of grants to programs offering alcohol abuse treatment to persons convicted of drunk driving.

Grants under the bill are to be made to programs that provide treatment for alcoholism, alcohol abuse, and other conditions related to excessive alcohol consumption among drunk drivers. The grants are to be approved by the Director of the Division of Addiction Services in the Department of Health and Senior Services (DHSS). The Director would also be responsible for promulgating regulations establishing grantee eligibility criteria and grant application procedures, and for designating the treatment services and treatment recipients for which grant funds may be spent.

The bill provides that financing for the grants would come from a nonlapsing revolving fund, the "Alcohol Treatment Programs Fund," that the bill establishes in DHSS. The bill provides that this fund, in turn, would be financed through allocations from the "Division of Motor Vehicles Surcharge Fund" in the amount of \$10 million annually.

This bill would implement a recommendation contained in the December 11, 1998 report of the Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey. The task force found that convicted drunk drivers, who must compete for substance abuse treatment services with a large pool of persons in need of such treatment, are numerically underrepresented among those now actually receiving such services through New Jersey's publicly funded treatment programs.

#### FISCAL IMPACT

Implementation of the provisions of this bill would not increase or decrease State revenue, but would increase by \$10 million the amount of State funding for alcohol abuse treatment of drunk drivers while reducing by a like amount General Fund resources available for other State purposes.

The DMV Surcharge Fund is funded from surcharges imposed on persons who (1) are convicted of operating a motor vehicle under the

influence of an intoxicant, or (2) accumulate six or more motor vehicle points over a three-year period. Under the 1994 law that established the surcharge fund, amounts deposited therein are to be disbursed (subject to legislative appropriation) to the Market Transition Facility Revenue Fund as necessary to cover debt service on bonds issued by the Economic Development Authority (EDA) to pay the accumulated liabilities of the Market Transition Facility. (The MTF was established in 1990 as an interim successor to the insolvent Joint Underwriting Association.) Amounts in the surcharge fund that are not required to service MTF debt lapse into the General Fund.

The Governor's budget proposal for FY2001 anticipates that for the coming fiscal year, deposits into the surcharge fund will amount to \$148 million. The State Treasurer's November 1999 Debt Report to the Commission on Capital Budgeting and Planning estimates FY2001 debt service on the EDA's MTF bonds at roughly \$72.4 million, leaving \$75.6 million available for transfer to the General Fund. Under this bill, the latter amount would be reduced by \$10 million.

# SENATE, No. 282

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator GARRY J. FURNARI**

**District 36 (Bergen, Essex and Passaic)**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Co-Sponsored by:**

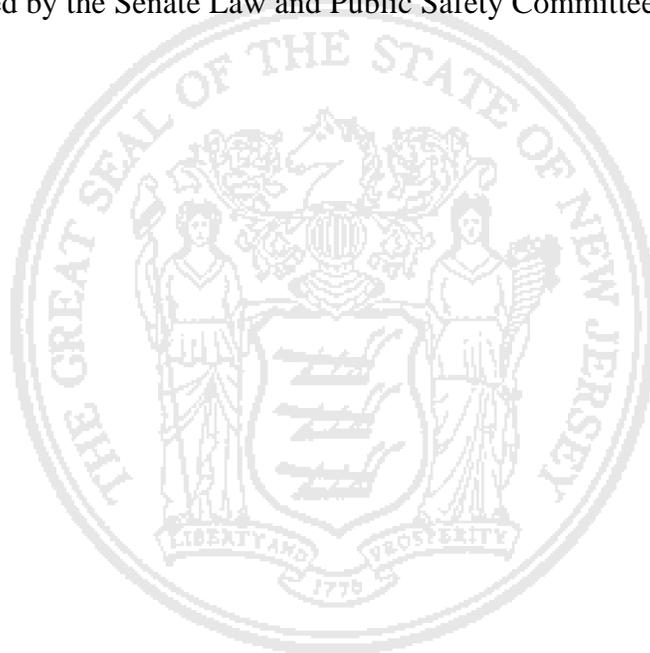
**Senators Kosco, Inverso, Singer, Bucco and Matheussen**

**SYNOPSIS**

Allocates certain motor vehicle surcharges for alcohol treatment programs.

**CURRENT VERSION OF TEXT**

As reported by the Senate Law and Public Safety Committee with technical review.



**(Sponsorship Updated As Of: 12/5/2000)**

1 AN ACT concerning funding alcohol treatment programs, amending  
2 P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 12 of P.L.1994, c.57 (C.34:1B-21.12) is amended to  
8 read as follows:

9 12. There is created within the Department of the Treasury a  
10 special nonlapsing fund to be known as the "Division of Motor  
11 Vehicles Surcharge Fund," which, beginning September 1, 1996 or  
12 earlier as provided pursuant to this section, shall be comprised of  
13 monies transferred to the DMV Surcharge Fund from the Market  
14 Transition Facility which, notwithstanding the provisions of this  
15 section to the contrary, may be appropriated, immediately upon receipt  
16 from the Market Transition Facility, by the Legislature to the Facility  
17 Revenue Fund and all monies collected pursuant to subsection b. of  
18 section 6 of P.L.1983, c.65 (C.17:29A-35) and any interest or other  
19 income earned thereon. Monies in the DMV Surcharge Fund shall be  
20 managed and invested by the Division of Investment in the Department  
21 of the Treasury. Commencing September 1, 1996, or at such earlier  
22 time as may be certified by the commissioner that monies on deposit  
23 in the New Jersey Automobile Insurance Guaranty Fund created  
24 pursuant to section 23 of P.L.1990, c.8 (C.17:33B-5) are sufficient to  
25 satisfy the current and anticipated financial obligations of the New  
26 Jersey Automobile Full Insurance Underwriting Association, the  
27 monies in the DMV Surcharge Fund shall be disbursed from time to  
28 time by the State Treasurer, upon appropriation by the Legislature, to  
29 the Market Transition Facility Revenue Fund, for payment of principal,  
30 interest and premium on the Market Transition Facility bonds or notes  
31 issued by the authority pursuant to section 4 of **[this act]** P.L.1994,  
32 c.57 (C.34:1B-21.4). From the amounts remaining in the fund after  
33 these payments are fully defrayed, an amount of \$10 million annually  
34 shall be remitted to the fund created in section 2 of P.L. , c.  
35 (C. ) (now pending before the Legislature as this bill).

36 (cf: P.L.1994, c.57, s.12)

37

38 2. (New section) a. There is created within the Department of  
39 Health and Senior Services a special nonlapsing revolving fund to be  
40 known as the "Alcohol Treatment Programs Fund." The fund shall  
41 consist of such monies as are deposited pursuant to section 12 of  
42 P.L.1994, c.57 (C.34:1B-21.12), any other monies as may be  
43 appropriated to the fund by the Legislature or otherwise provided to

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 the fund, and interest or other income derived from the investment of  
2 monies in the fund.

3 b. Except as provided in subsection c. of this section, monies in the  
4 fund shall be used exclusively for making grants, approved by the  
5 Director of the Division of Addiction Services in the Department of  
6 Health and Senior Services, to programs that provide treatment for  
7 alcoholism, alcohol abuse and other conditions related to the excessive  
8 consumption of alcoholic beverages among persons convicted of  
9 violating the State's drunk driving laws and others.

10 c. An amount not to exceed \$200,000 per year may be expended  
11 from the fund to defray actual expenses incurred by the department in  
12 the administration of the fund subject to approval by the Director of  
13 the Division of Budget and Accounting.

14

15 3. (New section) The Director of the Division of Addiction  
16 Services in the Department of Health and Senior Services shall  
17 promulgate regulations pursuant to the provisions of the  
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
19 necessary to effectuate the provisions of this act. The regulations shall  
20 include, but not be limited to, the following:

21 a. Criteria for grantee eligibility;

22 b. The form and manner in which application for grants from the  
23 fund shall be made; and

24 c. The treatment services and treatment recipients for which grant  
25 funds may be expended.

26

27 4. This act shall take effect on the first day of the third month after  
28 enactment, except that section 3 shall take effect immediately.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 282**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JUNE 9, 2000

**SUMMARY**

**Synopsis:** Allocates certain motor vehicle surcharges for alcohol treatment program.

**Type of Impact:** Transfer of revenue from General Fund to dedicated fund.

**Agencies Affected:** Department of Health and Senior Services

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Revenue:</b>			
<b>1. General Fund</b>	(\$10 million)	(\$10 million)	(\$10 million)
<b>2. Alcohol Treatment Programs Fund</b>	\$10 million	\$10 million	\$10 million

- ! Creates "Alcohol Treatment Programs Fund" in Department of Health and Senior Services to provide grants for treatment of alcohol related problems.
- ! Allocates \$10 million annually from balances in the "Division of Motor Vehicles Surcharge Fund" after making required payments attributable to repayment of Market Transition Facility bonds.
- ! Since these balances now flow into the General Fund, this transfer of revenue represents a \$10 million annual reduction in General Fund resources.

**BILL DESCRIPTION**

Senate Bill No. 282 of 2000 creates the "Alcohol Treatment Programs Fund" in the Department of Health and Senior Services. The fund is to receive \$10 million annually to make grants to programs that provide treatment for alcoholism, alcohol abuse and other conditions related to the excessive consumption of alcoholic beverages, especially among drunk drivers.

The \$10 million annual amount would be provided from balances in the "Division of Motor Vehicles Surcharge Fund" after making required payments attributable to the repayment of Market Transition Facility bonds and before such balances are remitted to the General Fund and

made available to be appropriated for any State purpose.

## FISCAL ANALYSIS

### *EXECUTIVE BRANCH*

None received

### *OFFICE OF LEGISLATIVE SERVICES*

The Division of Motor Vehicles (DMV) Surcharge Fund was created in 1994 to receive monies from surcharges levied for drunk driving convictions and other motor vehicle violations. Beginning September 1, 1996, these surcharges are first pledged toward the repayment of bonds issued in 1994 by the New Jersey Economic Development Authority to partially finance the deficit incurred by the Market Transition Facility (MTF). Amounts in the DMV Surcharge Fund that are not needed for purposes of the MTF are transferred to the General Fund and appropriated for any purpose.

The Office of Legislative Services notes that the bill requires that \$10 million be annually remitted to the "Alcohol Treatment Programs Fund." Since this amount would be provided from monies that exceed the needs of the MTF before such excess funds are remitted to the General Fund, the amount of monies available to the General Fund would be reduced by \$10 million annually. For Fiscal Year 2001 State Revenues are anticipated to receive \$46 million in excess surcharge monies. Enactment of this bill would reduce that revenue amount to \$36 million for Fiscal Year 2001.

Section: *Authorities, Utilities, Transportation and Communications*

Analyst: *Rusty Lachenauer*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

## **ASSEMBLY BILL NO. 1932**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1932 with my recommendations for reconsideration.

### Summary of Bill

This bill allocates \$10 million from the Division of Motor Vehicles Surcharge Fund, which includes motor vehicle surcharges collected from drunk drivers, to provide grants to fund treatment programs for alcoholism and alcohol dependency among drunk drivers. The \$10 million allocation would go to create an Alcohol Treatment Program Fund in the Department of Health and Senior Services (Department). The Department's Division of Addiction Services would establish grantee eligibility criteria and administer the grant program. Currently, surcharge revenue is allocated for payment of the principal, interest, and premium on Market Transition Facility (MTF) bonds with the excess remitted to the General Fund. The bill implements a recommendation made in the report of the Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey.

### B.Recommended Action

I commend the sponsors of this legislation for their commitment to increasing public safety by reducing drunk driving recidivism through appropriate treatment. I share their commitment and support the goals of this legislation. Currently, many programs exist that provide State funding for the treatment of substance abuse and dependency. I am advised that in Fiscal Year 2001, \$25.5 million is allocated for alcohol and drug addiction programs. This represents an increase of \$8.9 million for such programs since 1994. Furthermore, the State provides \$18 million to addiction treatment programs for welfare recipients through the Temporary Assistance to Needy Families (TANF) program, and \$46.4 million is available through the federal substance abuse block grant program. While these programs may not specifically target drunk drivers, many of those receiving such treatment are convicted offenders.

It is appropriate that we do more to provide targeted treatment for drunk drivers. This legislation will promote the safety of our State's motorists and pedestrians by focusing treatment resources on drunk driving offenders. Nonetheless, fiscal prudence compels that I return this bill with my recommendations for reconsideration.

An immediate reduction of \$10 million in anticipated revenue to the General Fund, without benefit of the budget process, could compromise the funding of other important programs that would otherwise receive State funding. I recommend, therefore, that the bill be modified to mitigate the fiscal impact that would result from the loss of \$10 million in anticipated revenues. Specifically, I recommend that in Fiscal Year 2002, \$1.5 million be allocated for the program established by this legislation, and that that amount be increased by an additional \$1.5 million each year for five years, to a maximum of \$7.5 million in Fiscal Year 2006 and each year thereafter. This will allow the State to implement this important program in a fiscally prudent manner. Future legislatures and the Department of Health and Senior Services will be able to assess the program's effectiveness and ongoing needs.

Additionally, administrative expenditures must be adjusted to conform to the recommended changes. The bill should be amended to allow not more than \$150,000 to be used for administrative costs in Fiscal Year 2002. Thereafter, not more than five percent of annual revenue allocated to the program should be used to defray actual expenses incurred by the Department in the administration of the fund.

Therefore, I herewith return Assembly Bill No. 1932 and recommend that it be amended as follows:

Page 2, Section 1, Line 33:

Delete "an amount of \$10 million annually" and insert "there"

Page 2, Section 1, Line 35:

After "bill)" insert ", \$1.5 million in Fiscal Year 2002, \$3 million in Fiscal Year 2003, \$4.5 million in Fiscal Year 2004, \$6 million in Fiscal Year 2005, and \$7.5 million in Fiscal Year 2006 and each Fiscal Year thereafter"

Page 3, Section 2, Line 10:

Delete "\$200,000 per year" and insert "\$150,000 in Fiscal Year 2002 and five percent of the total annual revenue allocated to the fund in each Fiscal Year thereafter"

Respectfully,

/s/ Christine Todd Whitman

Governor

[seal]

Attest:

/s/ Robert E. Fabricant

Chief Counsel to the Governor

§§2,3 -  
C.26:2B-9.2  
and 26:2B-9.3  
§4 - Note to  
§§1-3

P.L. 2001, CHAPTER 48, *approved April 4, 2001*  
Assembly, No. 1932 (*First Reprint*)

1 **AN ACT** concerning funding alcohol treatment programs, amending  
2 P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 12 of P.L.1994, c.57 (C.34:1B-21.12) is amended to  
8 read as follows:

9 12. There is created within the Department of the Treasury a  
10 special nonlapsing fund to be known as the "Division of Motor  
11 Vehicles Surcharge Fund," which, beginning September 1, 1996 or  
12 earlier as provided pursuant to this section, shall be comprised of  
13 monies transferred to the DMV Surcharge Fund from the Market  
14 Transition Facility which, notwithstanding the provisions of this  
15 section to the contrary, may be appropriated, immediately upon receipt  
16 from the Market Transition Facility, by the Legislature to the Facility  
17 Revenue Fund and all monies collected pursuant to subsection b. of  
18 section 6 of P.L.1983, c.65 (C.17:29A-35) and any interest or other  
19 income earned thereon. Monies in the DMV Surcharge Fund shall be  
20 managed and invested by the Division of Investment in the Department  
21 of the Treasury. Commencing September 1, 1996, or at such earlier  
22 time as may be certified by the commissioner that monies on deposit  
23 in the New Jersey Automobile Insurance Guaranty Fund created  
24 pursuant to section 23 of P.L.1990, c.8 (C:17:33B-5) are sufficient to  
25 satisfy the current and anticipated financial obligations of the New  
26 Jersey Automobile Full Insurance Underwriting Association, the  
27 monies in the DMV Surcharge Fund shall be disbursed from time to  
28 time by the State Treasurer, upon appropriation by the Legislature, to  
29 the Market Transition Facility Revenue Fund, for payment of principal,  
30 interest and premium on the Market Transition Facility bonds or notes  
31 issued by the authority pursuant to section 4 of [this act] P.L.1994,  
32 c.57 (C.34:1B-21.4). From the amounts remaining in the fund after  
33 these payments are fully defrayed, <sup>1</sup>[an amount of \$10 million  
34 annually] there<sup>1</sup> shall be remitted to the fund created in section 2 of  
35 P.L. , c. (C. ) (now pending before the Legislature as this  
36 bill)<sup>1</sup>, \$1.5 million in Fiscal Year 2002, \$3 million in Fiscal Year 2003,

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly amendments adopted in accordance with Governor's recommendations February 15, 2001.

1 \$4.5 million in Fiscal Year 2004, \$6 million in Fiscal Year 2005, and  
2 \$7.5 million in Fiscal Year 2006 and each fiscal year thereafter<sup>1</sup>.

3 (cf: P.L.1994, c.57, s.12)

4

5 2. (New section) a. There is created within the Department of  
6 Health and Senior Services a special nonlapsing revolving fund to be  
7 known as the "Alcohol Treatment Programs Fund." The fund shall  
8 consist of such monies as are deposited pursuant to section 12 of  
9 P.L.1994, c.57 (C.34:1B-21.12), any other monies as may be  
10 appropriated to the fund by the Legislature or otherwise provided to  
11 the fund, and interest or other income derived from the investment of  
12 monies in the fund.

13 b. Except as provided in subsection c. of this section, monies in the  
14 fund shall be used exclusively for making grants, approved by the  
15 Director of the Division of Addiction Services in the Department of  
16 Health and Senior Services, to programs that provide treatment for  
17 alcoholism, alcohol abuse and other conditions related to the excessive  
18 consumption of alcoholic beverages among persons convicted of  
19 violating the State's drunk driving laws and others.

20 c. An amount not to exceed <sup>1</sup>[\$200,000 per year] \$150,000 in  
21 Fiscal Year 2002 and five percent of the total annual revenue allocated  
22 to the fund in each fiscal year thereafter<sup>1</sup> may be expended from the  
23 fund to defray actual expenses incurred by the department in the  
24 administration of the fund subject to approval by the Director of the  
25 Division of Budget and Accounting.

26

27 3. (New section) The Director of the Division of Addiction  
28 Services in the Department of Health and Senior Services shall  
29 promulgate regulations pursuant to the provisions of the  
30 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
31 necessary to effectuate the provisions of this act. The regulations shall  
32 include, but not be limited to, the following:

33 a. Criteria for grantee eligibility;

34 b. The form and manner in which application for grants from the  
35 fund shall be made; and

36 c. The treatment services and treatment recipients for which grant  
37 funds may be expended.

38

39 4. This act shall take effect on the first day of the third month after  
40 enactment, except that section 3 shall take effect immediately.

41

42

43

44

45 Allocates certain motor vehicle surcharges for alcohol treatment  
46 programs.

## CHAPTER 48

**AN ACT** concerning funding alcohol treatment programs, amending P.L.1994, c.57, and supplementing Title 26 of the Revised Statutes.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 12 of P.L.1994, c.57 (C.34:1B-21.12) is amended to read as follows:

C.34:1B-21.12 "Division of Motor Vehicles Surcharge Fund."

12. There is created within the Department of the Treasury a special nonlapsing fund to be known as the "Division of Motor Vehicles Surcharge Fund," which, beginning September 1, 1996 or earlier as provided pursuant to this section, shall be comprised of monies transferred to the DMV Surcharge Fund from the Market Transition Facility which, notwithstanding the provisions of this section to the contrary, may be appropriated, immediately upon receipt from the Market Transition Facility, by the Legislature to the Facility Revenue Fund and all monies collected pursuant to subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35) and any interest or other income earned thereon. Monies in the DMV Surcharge Fund shall be managed and invested by the Division of Investment in the Department of the Treasury. Commencing September 1, 1996, or at such earlier time as may be certified by the commissioner that monies on deposit in the New Jersey Automobile Insurance Guaranty Fund created pursuant to section 23 of P.L.1990, c.8 (C.17:33B-5) are sufficient to satisfy the current and anticipated financial obligations of the New Jersey Automobile Full Insurance Underwriting Association, the monies in the DMV Surcharge Fund shall be disbursed from time to time by the State Treasurer, upon appropriation by the Legislature, to the Market Transition Facility Revenue Fund, for payment of principal, interest and premium on the Market Transition Facility bonds or notes issued by the authority pursuant to section 4 of P.L.1994, c.57 (C.34:1B-21.4). From the amounts remaining in the fund after these payments are fully defrayed, there shall be remitted to the fund created in section 2 of P.L.2001, c.48 (C.26:2B-9.2), \$1.5 million in Fiscal Year 2002, \$3 million in Fiscal Year 2003, \$4.5 million in Fiscal Year 2004, \$6 million in Fiscal Year 2005, and \$7.5 million in Fiscal Year 2006 and each fiscal year thereafter.

C.26:2B-9.2 "Alcohol Treatment Programs Fund."

2. a. There is created within the Department of Health and Senior Services a special nonlapsing revolving fund to be known as the "Alcohol Treatment Programs Fund." The fund shall consist of such monies as are deposited pursuant to section 12 of P.L.1994, c.57 (C.34:1B-21.12), any other monies as may be appropriated to the fund by the Legislature or otherwise provided to the fund, and interest or other income derived from the investment of monies in the fund.

b. Except as provided in subsection c. of this section, monies in the fund shall be used exclusively for making grants, approved by the Director of the Division of Addiction Services in the Department of Health and Senior Services, to programs that provide treatment for alcoholism, alcohol abuse and other conditions related to the excessive consumption of alcoholic beverages among persons convicted of violating the State's drunk driving laws and others.

c. An amount not to exceed \$150,000 in Fiscal Year 2002 and five percent of the total annual revenue allocated to the fund in each fiscal year thereafter may be expended from the fund to defray actual expenses incurred by the department in the administration of the fund subject to approval by the Director of the Division of Budget and Accounting.

C.26:2B-9.3 Regulations.

3. The Director of the Division of Addiction Services in the Department of Health and Senior Services shall promulgate regulations pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the provisions of this act. The regulations shall include, but not be limited to, the following:

- a. Criteria for grantee eligibility;
- b. The form and manner in which application for grants from the fund shall be made; and
- c. The treatment services and treatment recipients for which grant funds may be expended.

4. This act shall take effect on the first day of the third month after enactment, except that

section 3 shall take effect immediately.

Approved April 4, 2001.

*Office of the Governor*  
**NEWS RELEASE**

PO BOX 004  
TRENTON, NJ 08625

CONTACT: Rae Hutton  
609-777-2600

RELEASE: April 4 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

**A-1932**, sponsored by Assemblymen Kip Bateman (R-Morris/Somerset) and Ken LeFevre (R-Atlantic) and Senators Gary Furnari (D-Bergen/Essex/Passaic) and James Cafiero (R-Cape May/Atlantic/Cumberland), allocates certain motor vehicle surcharges for alcohol treatment programs, a recommendation of the 1998 Senate Task Force on Alcohol Related Motor Vehicle Accidents and Fatalities in New Jersey. The bill allocates \$1.5 million in Fiscal Year 2002 from the Division of Motor Vehicles Surcharge Fund, which contains surcharges collected from drunk drivers, to provide grants to fund treatment programs for alcoholism and alcohol dependency among drunk drivers. The amount will be increased by \$1.5 million per year to an upper limit of \$7.5 million in Fiscal Year 2006 and each year thereafter. The allocation would be used to create an Alcohol Treatment Program Fund in the Department of Health and Senior Services (DHSS).